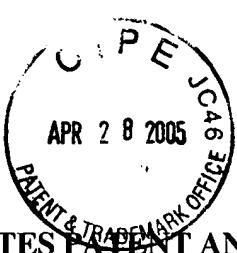


Application Serial No. 09/385,394
Atty. Docket No. 114596-03-4000



PATENT

ATTORNEY DOCKET NO. 114596-03-4000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/385,394
Applicant: John S. Yates, Jr., et al.
Title: COMPUTER WITH TWO DIFFERENT EXECUTION MODES
Filed: August 30, 1999
Art Unit: 2183
Examiner: Richard Ellis
Atty. Docket: 114596-03-4000
Customer No. 38492

Confirmation No.: 9093

I certify that this correspondence, along with any documents referred to therein, is being deposited with the United States Postal Service on April 25, 2005 as First Class Mail in an envelope with sufficient postage addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Subject to resolution of a Petition to Reopen Prosecution currently pending, Appellant hereby appeals to the Board of Patent Appeals and Interferences from the Office Action dated October 25, 2004, even though many of the non-allowed claims have not been fully examined, are therefore not rejected. Charge the Notice of Appeal fee of \$ 500.00 to Deposit Account 23-2405, Order No. 114596-03-4000.

In the event that the Petition to Reopen Prosecution is granted, the period for responding to the Office Action of October 25, 2004 was tolled by the Response thereto of January 25, 2005, and in that case no extension of time is therefore necessary.

In the event that a Petition for Extension of Time is necessary, and has not already been paid, kindly charge the Petition fee of \$ 1,020.00 to Deposit Account 23-2405, Order No. 114596-03-4000.

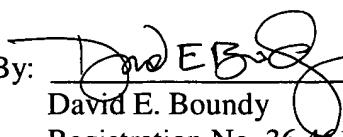
04/29/2005 WABDELRI 00000064 232405 09385394
01 FC:1401 500.00 DA

04/29/2005 WABDELRI 00000064 232405 09385394
04 FC:1253 1020.00 DA

The Commissioner is hereby authorized to charge any additional required fees (including all extension of time fees pursuant to 37 C.F.R. § 1.17), or credit any overpayment, to Deposit Account No. 23-2405, Order No. 114596-03-4000. It is believed that this paper occasions no fee. Kindly charge any fee due to Deposit Account No. 23-2405, Order No. 114596-03-4000.

Respectfully submitted,
WILLKIE FARR & GALLAGHER LLP

Dated: April 25, 2005

By: 
David E. Boundy
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